

At said hearing before Judge Cleary one Richard Erling, who I am informed and believe did not testify before said grand jury, testified that he saw said Jane Gibson in DeRussey Lane near the scene of said crime on said night at a time shortly after said Jane Gibson says said crime occurred, and I understand that this testimony of said Erling is supposed to corroborate Jane Gibson's story. As said Erling testified that he heard no shots but that said Jane Gibson, going along DeRussey Lane towards her home on Hamilton Road at a point two thousand feet towards her said home from the scene of the crime, stopped her mule and for half a minute looked into said Erling's parked car, and then proceeded, said testimony of said Erling, if it does corroborate said Jane Gibson, does so only to the extent of showing her presence in DeRussey Lane on said night shortly after she says the crime occurred.

I am informed and believe that one Mrs. Albert Wahler on August 2 of this year was examined in connection with said crime at the headquarters of the New Jersey State Police in Somerville, New Jersey, and signed and swore to the evidence she then gave. I am further informed and believe that said Mrs. Wahler then swore that she was with said Richard Erling in his Ford touring car throughout the evening of said Thursday, September 14, 1922, that they drove twice through said DeRussey Lane without stopping, and that on neither occasion did she or said Erling see Jane Gibson at any time, nor did she see anyone riding on a mule. I am further informed and believe that the evidence given by said Mrs. Albert Wahler contradicts the testimony of said Erling in all other particulars except that they were together in an automobile on said evening. As I had assumed the inquiry before Judge Cleary was to